

#8

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Attorney Docket No.	2726/4
Application Number	10/523,558
Filing Date	February 1, 2005
First Named Inventor	Thomas Mattes
Group Art Unit	Not yet known
Examiner	Not yet known

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Preliminary Amendment (10 pages)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> After Final	<input type="checkbox"/> Drawings:	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input checked="" type="checkbox"/> Post Card Receipt
<input type="checkbox"/> Extension of Time Request (duplic)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> English translation of International Application (24 pages)
<input type="checkbox"/> Information Disclosure Statement, PTO- 1449, art	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Copy of Notification of Defective Response (2 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Applicant claims small entity status.	<input type="checkbox"/>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Request of Refund	
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0930. A duplicate copy of this sheet is enclosed.		

CALCULATION OF FEE

					Small Entity		Large Entity		
	Claims After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total	64	Minus	(20) 64	0	x \$25=	0		x \$50=	
Indep.	6	Minus	(3) 6	0	x \$100=	0		x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=	—		+\$360=	
					total add'l fee	\$ 0		total add'l fee	\$ 0

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael H. Baniak, Reg. No. 30,608 Attorney for Applicant(s) Steven B. Courtright, Reg. No. 40,966 Agent for Applicant(s) BANIAK PINE & GANNON 150 N. Wacker Drive, Suite 1200 Chicago, Illinois 60606		
-------------------------------	--	--	--

Signature

Date:

October 20, 2005

CERTIFICATE OF MAILING

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, under Express Label No. EV 498081072 US, on October 20, 2005:

October 20, 2005

Signature

Michael H. Baniak/Steven B. Courtright

Date: October 20, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec PCT/PTO 20 OCT 2005

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/523,558	FIRST NAMED APPLICANT Thomas Mattes	ATTY. DOCKET NO. 2726/4
---	--	----------------------------

Michael H Baniak
Steven B Courtright
Baniak Pine & Gannon
150 North Wacker Drive, Suite 200
Chicago, IL 60606

RECEIVED

SEP 20 2005

Baniak Pine & Gannon

INTERNATIONAL APPLICATION NO. PCT/EP03/08520	
I.A. FILING DATE 07/31/2003	PRIORITY DATE 08/02/2002

CONFIRMATION NO. 1191

371 FORMALITIES LETTER



OC000000017080258

Date Mailed: 09/23/2005

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 02/01/2005
- Copy of the International Search Report filed on 02/01/2005
- Copy of IPE Report filed on 02/01/2005
- Oath or Declaration filed on 07/19/2005
- U.S. Basic National Fees filed on 02/01/2005
- Priority Documents filed on 02/01/2005

Applicant's response filed 07/19/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 07/01/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
 - The number of claims in the International Application and the number of claims in the translation are not the same.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

DOCKETED
9/29/05

A copy of this notice **MUST** be returned with the response.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,558	PCT/EP03/08520	2726/4

FORM PCT/DO/EO/916 (371 Formalities Notice)